

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARLIN E. JONES,)	
)	
Plaintiff,)	4:05cv3071
)	
vs.)	MEMORANDUM AND ORDER
)	
CITY OF NORTH PLATTE,)	
NEBRASKA, et al.,)	
)	
Defendants.)	

This matter is before the court on Filing No. 107, the parties' Joint Motion and Stipulation for Dismissal with Prejudice. The parties stipulate to dismissal of this action with prejudice, each party to pay that party's own costs. Fed. R. Civ. P. 41(a)(1)(ii).

THEREFORE, IT IS ORDERED:

1. That Filing No. 107 is granted and approved; the plaintiff's complaint, as amended, and the above-entitled case are dismissed with prejudice on the parties' joint motion and stipulation; each party shall pay that party's own costs;
2. That Filing No. 106, the plaintiff's Motion for Recusal, is denied as moot; and
3. That judgment will be entered in accordance with this Memorandum and Order.

DATED this 27th day of September, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge